UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/085,965
Filing Date: February 28, 2002
Appellant(s): LIKES ET AL.

Stephen A. Terrile
Reg. No. 32,946
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 6, 2007 appealing from the Office

action mailed April 18, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

| 5710908 | Man | 1-1998 |
| 6519653 | Glass | 2-2003 |

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-6, 8-15, 17-23, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Man (5710908) in view of Glass (6519653).

Regarding claims 1, 10, and 18, Man teaches a method comprising: obtaining a message from a first component of a software system (Column 6, lines 19 – 24); identifying a module to handle scheme-specific communication of the message (Column 10, lines 35 – 44); and using the module for communicating the message from the first component to a second component of the software system (Column 10, lines 42 – 45), the communicating the message including:

Using an identifier to identify a first component and using an identifier to identifier a second component (Column 2, lines 33 – 37) and corresponding protocol specific information according to the message (Column 2, lines 29 – 33).

Man does not explicitly indicate that the identifiers are resource locators including a resource locator network node name indication portion, a resource port identifier indication portion, and a resource locator path indication portion,

Glass teaches a system of sending messages from a first application to a second where the identifier of the source and destination include resource locator network node name indication portion, a resource port identifier indication portion, and a resource locator path indication portion (Column 4, lines 4 – 8; lines 23 – 26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Glass's teaching of addressing in Man's system in order to allow aliasing and uniform addressing to occur.

Regarding claims 2, 11, and 19, Man teaches the method of claims 1, 10, and 18 wherein the communicating the message comprises using communication scheme-specific programming code of the module, wherein the first component does not comprise the communication scheme-specific programming code; and the second component does not comprise the communication scheme-specific programming code (Figure 2, elements 250, which is the first communication component, elements 230-232, which are modules with the scheme-specific programming code separate from the first component).

Regarding claims 3, 13, and 20, Man teaches the method of claims 1, 10, and 18 wherein the using the module for communicating the message comprises at least one of a group consisting of the following: using a communication scheme-specific transmitter for transmitting the message (Column 10, lines 42 – 45); and using a communication scheme-specific receiver for receiving the message (Column 5, line 60 – Column 6, line 2).

Regarding claims 4, 14, and 21, Man teaches the method of claims 1, 10, and 18 wherein the identifying the module comprises calling a communication scheme handler to identify the module (Column 10, lines 23 – 31).

Regarding claims 5, 15, and 22, Man teaches the method of claims 4, 10, and 18 wherein the identifying the module comprises at least one of a group consisting of the following: requesting a transmitter server to identify the module (Column 10, lines 23 – 31, where the system calls the transmitter part of the server to select the module and send messages through the selected module); and requesting a receiver server to

identify the module (Column 5, line 60 – Column 6, line 2, where the system calls the

receiving part of the server to select the module and multiplex messages through the

selected module).

Regarding claims 6, 12, and 23, Man teaches the method of claims 1, 10, and

18 wherein the communicating the message comprises using a common interface for

the first component and the second component (Column 7, lines 11 – 12).

Regarding claims 8, 17, and 25, Man teaches the method of claims 1, 10, and

18 wherein the communicating the message comprises: using a first communication

scheme from the first resource locator for communicating with the first component; and

using a second communication scheme from the second resource locator for

communicating with the second component (Column 10, lines 35 – 44, where the

recourse locators are mapped with the access line pairs which identifies the scheme

modules).

Regarding claims 9 and 26, Man teaches the method of claims 8 and 25

wherein the first and second communication schemes are the same (Figure 3, elements

281-283, where the first and second components are connected through the same

protocols).

(10) Response to Argument

The appellant argues that the combination of Man and Glass does not teach that

the first and second resource locator includes a communication scheme indication

portion. More specifically that Glass does not teach a communication scheme in the

resource locators. See Page 6 of the Appeal Brief.

The examiner disagrees:

The examiner relies on the teaching of Man, not Glass to teach the

communication scheme indication portion in the message. Man teaches in Column 2,

lines 42 – 44 that the message from the first application to the second includes a block

of protocol specific information. Figures 9 and 10 and Column 12, line 40 – Column 13,

line 10 teach that the message includes communication specific information for address

data (Column 12, lines 48 – 54) and packet header information (Column 12, lines 44 –

49). So clearly shown in Man, the protocol communication scheme is indicated in the

message header of the message being communicated between applications and that

communication indicate portion is stored along with the source and destination

information (Figures 10A, 10B, and 10C).

The appellant argues that Glass does not teach a first and second resource

locator that includes a network name portion, a port identifier, or a locator path indicator.

See Pages 6-8 of the Appeal Brief.

The examiner disagrees:

The appellant seems to be misinterpreting the combination of Man and Glass, since Glass is not being relied upon to teach the teaching of both the first and second locator.

Man teaches a message packet that includes source and destination identifier and socket number (Figure 10B). The source and destination node's identify the first and second application or components in the network. What Man is lacking is the idea that the first and second locators identifying the source and destination are resource locator including the node name, port, and path.

Glass teaches a messaging system which includes the teaching that conventional URL information can be used to identifying components in a messaging system (Column 4, lines 4—8). Glass teaches that the URL includes the node name (Dallas), port name (8000), and path names (Store1) (Column 4, lines 1; lines 4 – 8).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Kevin Bates

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